

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO. 6:03-cr-171-JA-KRS

JOSE ALFAYA

ORDER

Defendant's Motion for Early Termination of Probation¹ (Doc. 114) is before the Court for consideration. The Government filed a response wherein both Defendant's Probation Officer and the United States oppose the requested relief. (Doc. 117).

Defendant, who worked as a manager at the Brink's Company in Tampa, Florida, orchestrated the robbery of a Brink's armored truck in Daytona Beach, Florida. (Presentence Report "PSR" at ¶¶ 6-10). On July 21, 2003, Defendant and his co-conspirators carried out their plan, and robbed a Brink's armored truck. Defendant and his co-conspirators wore Brink' uniforms and security badges to facilitate the robbery, and when they did so, they took four employees in the truck hostage as they drove away with the truck. (*Id.* at ¶¶ 9-10). After one of the employees sounded an external alarm, the police rescued the

¹ Defendant is on supervised release.

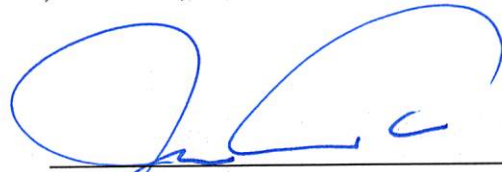
hostages, arrested Defendant, and recovered the truck which contained over 50 million dollars. (*Id.*). The police also found trip itineraries for the truck listing dates, locations, arrival and departure times, the amounts of money picked up and dropped off at the locations and a piece of paper containing directions to the Brink's facility in Daytona Beach, Florida in Defendant's briefcase. (*Id.*). Police also found two revolvers, a Glock pistol, ammunition, home-made handcuffs, and the hostages' identification badges in Defendant's briefcase. (*Id.*). The victims expressed they were in fear for their lives during the robbery and suffered residual psychological trauma from the offense. (*Id.* at ¶ 13).

On January 9, 2004, the Court sentenced Defendant to 195 months of imprisonment (135 months for Count 1 – Conspiracy to Obstruct Commerce by Robbery and Commit and Threaten Physical Violence to Another Person in Furtherance of a Plan to Commit Robbery, and 60 months for Count 2 – Possession of a Forearm During and in Relation to a Robbery) followed by a term of 5 years of supervised release (3 years on Count 1 and 5 years on Count 2 to run concurrently). (Docs. 67, 69). On September 15, 2017, Defendant began his supervised release which is set to expire on September 14, 2022. (Docs. 114, 117).

I have considered the pertinent factors of 18 U.S.C. § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7) and the purpose of supervised

release. Defendant's Motion for Early Termination of Probation (Supervised Release) (Doc. 114) is **DENIED**.

DONE and **ORDERED** in Orlando, Florida, on March 23, 2021.



JOHN ANTOON II
United States District Judge

Copies furnished to:
United States Attorney
United States Probation Office
Counsel for Defendant